

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION

JAMES McALPHIN
ADC #88328

PLAINTIFF

v.

No. 5:18-cv-213-DPM

KENNETH HOLDER, Doctor, ADC,
East Arkansas Regional Unit;
and RONALD STUKEY, Doctor

DEFENDANTS

ORDER

On *de novo* review, the Court adopts Magistrate Judge Kearney's recommendation,* *No 104*, and overrules McAlphin's sur-reply and objections, *No 105 & No 106*. FED. R. CIV. P. 72(b)(3). The motion for summary judgment, *No 87*, is granted. Those remaining claims against Holder and Stukey will be dismissed with prejudice.

So Ordered.

DPM
D.P. Marshall Jr.
United States District Judge

30 January 2020

* The Court makes one correction to the recommendation: There are stray references to "Hubbard" on page 8. Those should refer to Defendant Holder.